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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

WALT NALLY,

Plaintiff,

v.

WELLS FARGO BANK, N.A.,

Defendant.

Civil Case No. 3:10-cv-01095 EMC

**STIPULATION AND ~~[PROPOSED]~~
ORDER OF DISMISSAL**

1 IT IS HEREBY STIPULATED by and between the parties to this action through their
2 designated counsel that the above-captioned action be and hereby is dismissed with prejudice
3 pursuant to FRCP 41(a)(1).
4

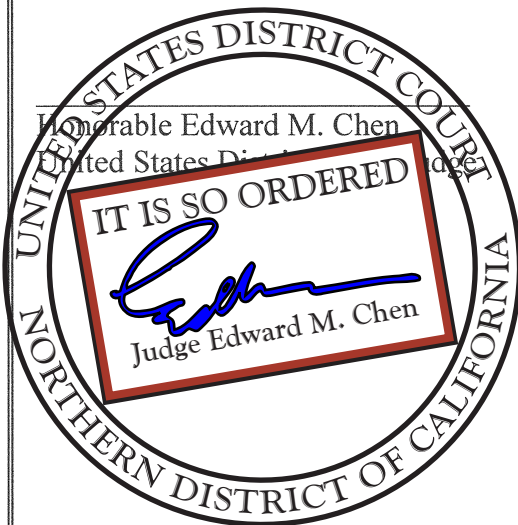
5 Dated: May 23, 2012

/s/ Kevin J. McNerney
Kevin J. McNerney
Attorney for Plaintiff

8 Dated: May 23, 2012

/s/ Lindbergh Porter, Jr.
Lindbergh Porter, Jr.
Attorney for Defendant

10 IT IS SO ORDERED.
11



PROOF OF SERVICE

Walt Nally v. Wells Fargo Bank, N.A.

United States District Court, Northern District of California

Case No. 3:10-cv-01095 EMC

I, the undersigned, declare as follows:

I am employed in the County of Washoe, State of Nevada.

I am over the age of eighteen (18) years and not a party to the within action; my business address is 18124 Wedge Parkway, #503, Reno Nevada, 89511.

On May 23, 2012, I served the foregoing document(s) described as:

STIPULATION AND [PROPOSED] ORDER OF DISMISSAL

on all interested parties in this action addressed to the addressee as follows:

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XX By CM/ECF. I electronically transmitted the attached document to the Clerk's Office using the CM/ECF system for filing and transmittal of a Notice of Electronic Filing to the above CM/ECF registrant(s).

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct. Executed on May 23, 2012 at Reno, Nevada.



Jennifer Smith